IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 7709 of 2005

Between:

V. Dayanand S/o. Laxmi Kanthaiah,
R/o. 2-1-80, Opp: Railway Station, Khammam.

..... PETITIONER

AND

1 The Depot Manager, APSRTC, Khammam.
2 The Divisional Manager, APSRTC, Khammam.
3 The Regional Manager, APSRTC, Khammam Region, Khammam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus declaring the action of 1st respondent in imposing major penalty with holding petition annual grade increments deferred for a period of two years with future effect vide Procs. No. 01/138(1)/89-KMM, dt./ 24-7-1989 and consequential order dt. 5-4-2004 in No. Steno/19(88)/2003-DM.KMM. issued by 2nd respondent as illegal, arbitrary, violation of principles of natural justice, disproportionate and set aside the same and consequently direct the 3rd respondent to consider and dispose of petitioner's revision petition dt. 24-4-2004 by releasing annual grade increments with arrears with all consequential benefits.

Counsel for the Petitioner: MR.K.VENKATESWARLU

Counsel for the Respondents: SMT.P.RAJANI REDDY, S.C. for APSRTC

The Court made the following :

ORAL ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the 1st respondent in imposing major penalty of withholding the petitioner's annual grade increments deferred for a period of two years with future effect vide Procs. No.01/138(1)/89-KMM, dated 24.7.1989 and consequential order No.steno/19(88)/2003-DVM:KMM, dated 5.4.2004 issued by the 2nd respondent as illegal and arbitrary.

Heard the learned counsel for the petitioner and the learned standing counsel for the respondents and perused the material on record.

Admittedly, against the order passed by the 1st respondent, dated 24.7.1989 and as confirmed by the 2nd respondent in order, dated 5.4.2004, a revision petition was filed on 24.4.2004 before the 3rd respondent.

Therefore, without entering into the merits of the case, I consider it appropriate to direct the 3rd respondent to take appropriate decision on the revision petition filed by the petitioner if it is pending, within a period of two months from the date of receipt of a copy of this order. If no such petition is pending, the petitioner is at liberty to file a fresh

revision petition in accordance with the rules and regulations of the Corporation.

The writ petition is disposed of in terms of the above direction. In the circumstances of the case, there shall be no order as to costs.

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(K.C. BHANU, J.)

7th April, 2005

bcj

To

1 The Depot Manager, APSRTC, Khammam.
2 The Divisional Manager, APSRTC, Khammam.
3 The Regional Manager, APSRTC, Khammam Region, Khammam.

4 Two C.D. copies

Note: Furnish copy in one week

B/o

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